EXHIBIT 3

Wapp Tech Limited Partnership et al. v. JPMorgan Chase Bank, N.A., No. 4:23-cv-1137 (E.D. Tex.)

EXHIBIT A-4c

Invalidity of U.S. Patent No. 8,924,192 Based on the Flash MX Professional 2004 System

As described in the following claim chart, claims 1–7, 9, 12, and 13 of U.S. Patent No. 8,294,192 (the '192 patent) are invalid because they are anticipated under 35 U.S.C. § 102 by the Flash MX Professional 2004 system and/or would have been obvious under 35 U.S.C. § 103 over the Flash MX Professional 2004 system and/or the knowledge of a person of ordinary skill in the art ("POSA").

The Flash MX Professional 2004 software product was publicly released by Macromedia, Inc., no later than September 10, 2003. Manuals and other publications describing Flash MX Professional 2004 were concurrently available. The i-mode HTML Simulator feature was concurrently available, and instructions for downloading and using the feature were concurrently available and provided with Flash MX Professional 2004. A software update for Flash MX Professional 2004, adding Flash Lite 1.1 functionality, was publicly released by Macromedia, Inc., no later than June 26, 2004. Manuals and other publications describing Flash Lite 1.1 were concurrently available. Under the EDTX Model Order Focusing Patent Claims and Prior Art to Reduce Costs, "associated references that describe that instrumentality shall count as one reference, as shall the closely related work of a single prior artist." (EDTX Model Order Focusing Patent Claims and Prior Art to Reduce Costs, at 1 n.1.) The following associated references all describe the Flash MX Professional 2004 instrumentality and, therefore, together with the software product itself collectively count as one reference ("Flash MX Professional 2004 system" or "Flash MX Professional 2004"):

- *Flash MX 2004 Using Flash*, copyright Macromedia, Inc., dated September 2003, provided with the software product and concurrently published at http://www.macromedia.com/support/documentation/en/flash/ ;
- *Flash MX 2004 Getting Started with Flash*, copyright Macromedia, Inc., dated September 2003, provided with the software product and concurrently published at http://www.macromedia.com/support/documentation/en/flash/ ;
- *Flash MX Professional 2004 Flash Lite Authoring Guidelines for the i-mode Service by NTT DoCoMo*, copyright Macromedia, Inc., dated March 2003, provided with the software product and concurrently published at http://www.macromedia.com/support/documentation/en/flash/ ;
- *Flash MX Professional 2004 Flash Lite User Guide*, copyright Macromedia, Inc., dated August 2003, provided with the software product and concurrently published at http://www.macromedia.com/support/documentation/en/flash/ ;
- Bill Perry, *New Features for Mobile and Devices Developers in Macromedia Flash MX Professional 2004* ("Perry"), published by Macromedia, Inc., no later than September 9, 2003, concurrently with and on the same website as the software product;
- Matthew David, Building Great Flash MX Games ("David"), copyright date 2003;
- *Flash MX Professional 2004 Flash Lite 1.1 Authoring Guidelines*, copyright Macromedia, Inc., dated June 2004 and concurrently published at http://www.macromedia.com/support/documentation/en/flash/ .

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Because the Flash MX Professional 2004 software product with its Flash Lite 1.1 update was released no later than June 2004, the Flash MX Professional 2004 system qualifies as prior art at least under pre-AIA 35 U.S.C. §§ 102(a) and (b) based on Wapp's earliest claimed priority date of June 10, 2005 (the date of Provisional Application No. 60/689,101). As set forth in Defendant's ("JPMC's") accompanying invalidity contention cover pleading, the Flash MX Professional 2004 system is prior art under pre-AIA 35 U.S.C. §§ 102(a) and (b) if it is determined that this asserted patent is entitled to a priority date of June 9, 2006 (the filing date of U.S. Patent App. No. 7,813,910). The Flash MX Professional 2004 system additionally qualifies as prior art at least under pre-AIA 35 U.S.C. § 102(f). The named inventor of the asserted patent admitted possessing prior knowledge of Flash and related technologies, including Flash Lite 1.1, Flash MX, Flash MX Professional 2004, and Studio 8, from Macromedia, Inc., as demonstrated in at least the Provisional Application No. 60/689,101 and U.S. Patent App. No. 7,813,910 and associated prior art disclosures, and in prior deposition testimony. Wapp also admits that the named inventor of the asserted patent possessed prior knowledge of Flash technology and in particular that the purported invention was a purported improvement on Macromedia's Flash development environment, as demonstrated at least in Wapp's response on May 8, 2024, to JPMC's interrogatory number 8.

To the extent the Flash MX Professional 2004 system does not expressly or inherently disclose one or more of the limitations of the claims, such limitations would have been obvious in view of the teachings of the Flash MX Professional 2004 system in combination with the knowledge of a POSA and/or one or more of the references identified in JPMC's Invalidity Contentions.

JPMC notes that obviousness analysis involves an expansive and flexible approach that takes into account the background knowledge, creativity, and common sense of a POSA. *KSR Int'l Co. v. Teleflex Inc.*, 550 U.S. 398, 418, 421 (2007). Accordingly, JPMC reserves the right to supplement these statements of obviousness based on further discovery and developments in this case, such as the Court's claim construction.

The chart below provides representative examples of where each element of each claim is found in the referenced prior art. Citations are meant to be exemplary, not exhaustive, and JPMC reserves the right to identify and discuss additional portions of the referenced prior art in support of its contentions and/or to rebut arguments made by Wapp. Citations to figures, drawings, tables, and the like include reference to any accompanying or related text. All internal cross references are meant to incorporate the cross-referenced material as if fully set forth therein.

Wapp's Infringement Contentions have not established that JPMC infringes any valid claim. Thus, JPMC's statements below should not be treated as an admission, implication, or suggestion that JPMC agrees with Wapp regarding either the scope, construction, or interpretation of any of the claims, or the infringement theories advanced by Wapp in its Infringement Contentions, including whether any claim satisfies 35 U.S.C. §§ 101 or 112. In certain cases, JPMC specified non-limiting examples of where its application of the prior art is based on Wapp's apparent application of the claim limitation in the Infringement Contentions. These statements are not

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intended to suggest that JPMC agrees with Wapp's application of any claim term. The Court has not yet construed any disputed terms and, therefore, these invalidity contentions take into account all possible constructions. JPMC reserves the right to supplement these contentions after receiving the Court's claim construction or any Court ruling or change of position by Wapp on the priority dates to which Wapp is entitled.
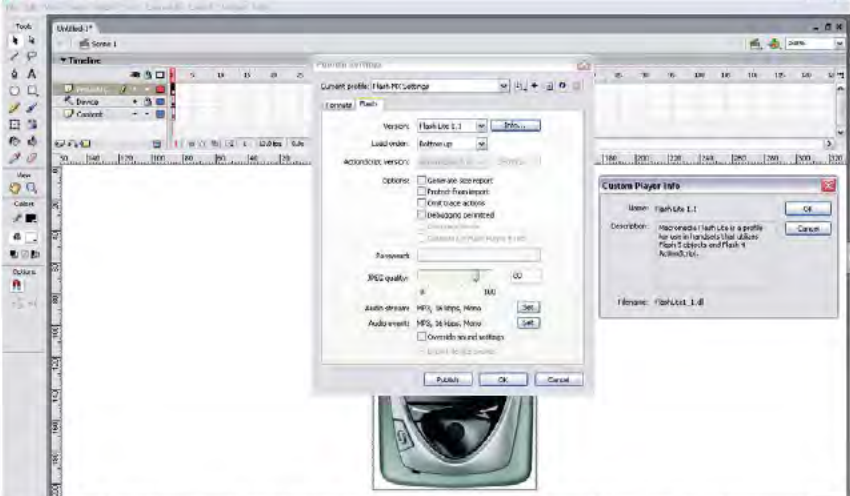
Wapp has yet to identify in this case, any limitation of the claims that it contends is not anticipated and/or rendered obvious by the referenced documents, and/or knowledge of a POSA. JPMC therefore expressly reserves the right to respond to any such contention, including by identifying additional obviousness citations and/or combinations, if Wapp makes any such contentions.

JPMC takes no position in these Invalidity Contentions on whether the preamble of each independent claim is limiting. To the extent each is limiting, the chart below provides examples of where each preamble limitation is found in this prior art.

'192 Patent

'192 Claim 1	Reference/Combination
1[a] A system for developing an application for a mobile device comprising:	The Flash MX Professional 2004 system discloses this limitation. For example, the following are screenshots from Flash MX Professional 2004.

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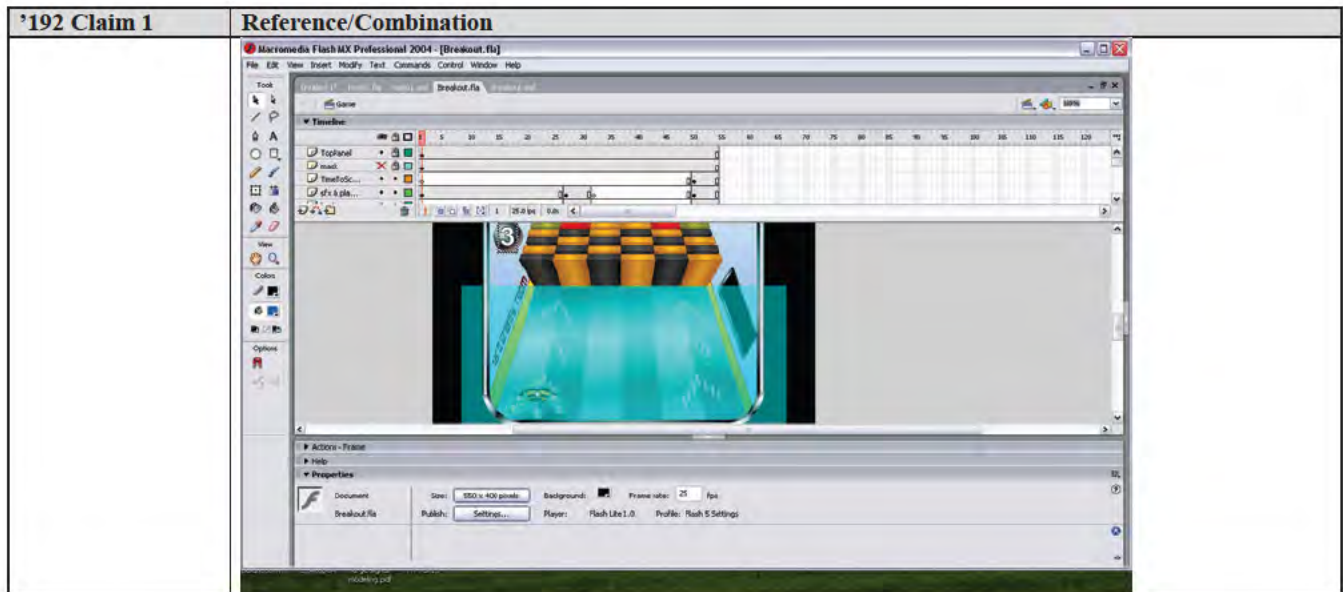*Wapp Tech Limited Partnership et al. v. JPMorgan Chase Bank, N.A.*, No. 4:23-cv-1137 (E.D. Tex.)

'192 Claim 1	Reference/Combination
	Flash MX Professional 2004 with Flash Lite 1.1 update and NTT DoCoMo i-mode simulator 7.2 feature. Flash MX Professional 2004 is a system for developing and testing an application for a mobile device, and it can publish Flash applications to "handsets" (see above window entitled "Custom Player Info").
	For example, Flash MX Professional 2004 is a system that includes an authoring environment for developing Flash content for a mobile device.
	[*Flash MX 2004 Using Flash*, p. 390] Flash content is viewable across multiple browsers, platforms, and mobile phones. You can author the following: • High-quality animations • Games

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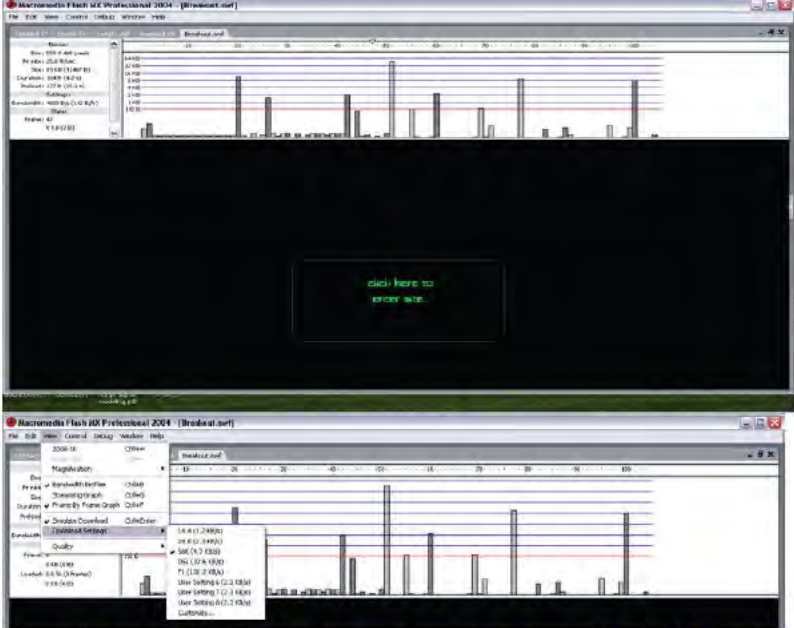| '192 Claim 1	Reference/Combination
	• Rich-media custom user interfaces for devices and desktop systems • Immersive e-commerce and business solutions [¶] In addition, Flash files are compact, making them perfect for wireless carrier networks, where transfer rates range between 9.6 and 60 kilobytes per second (Kbps). Mobile devices, unlike desktop computers, have limited storage capability, so the small footprint of Flash is ideal. [¶] The mobile device templates let you create content for many mobile devices available today. Use the device skins in the templates to preview your content as it will look on the device. [¶] Note: The skins are on guide layers and won't export with your content or appear at runtime. [¶] For more information on authoring Flash files for mobile devices, please visit the Macromedia Mobile Devices site at www.macromedia.com/devnet/devices/. [*Flash MX 2004 Using Flash*, p. 39] ==Close the test window to return to the normal authoring environment. [¶] Once you've set up a test environment incorporating the Bandwidth Profiler, you can open any SWF file directly in test mode. The file opens in a Flash Player window, using the Bandwidth Profiler and other selected viewing options.== [*Flash MX Professional 2004 Flash Lite User Guide*, p. 5] Macromedia has created a new Flash Player version, called Macromedia® Flash™ Lite, that runs on a new class of consumer mobile devices. This format is designed to run optimally on devices with limited resources (memory, processor speed, display area). […] With Macromedia Flash MX Professional 2004, you can author, preview, publish, and validate content for Flash Lite. For example, Flash MX Professional 2004 includes an authoring environment for ActionScript, a programming language used in developing Flash content for a mobile device. [*Flash MX 2004 Using Flash*, p. 18]

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'192 Claim 1	Reference/Combination
	ActionScript is the Flash scripting language that enables you to add complex interactivity, playback control, and data display to a Flash document. You can add ActionScript within the Flash authoring environment using the Actions panel […] To the extent this limitation is not explicitly disclosed by the Flash MX Professional 2004 system, it is inherent or would have been obvious to a POSA from the teachings of the Flash MX Professional 2004 system, the knowledge of a POSA, and/or one or more of the references identified in JPMC's Invalidity Contentions.
1[b][1] a software authoring interface	The Flash MX Professional 2004 system discloses this limitation. For example, Flash MX Professional 2004 enables a user to write code to develop visual applications such as animated games using the Flash MX Professional 2004 interface, which consists of at least a stage for imagery and a grid for a timeline. Flash MX Professional 2004 also enables the use of ActionScript, a programming language.
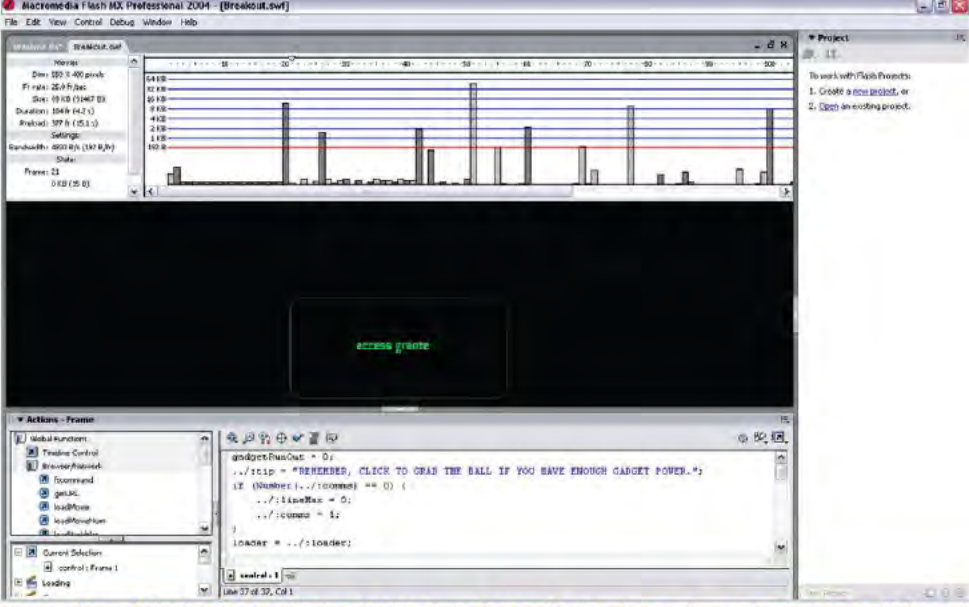
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'192 Claim 1	Reference/Combination

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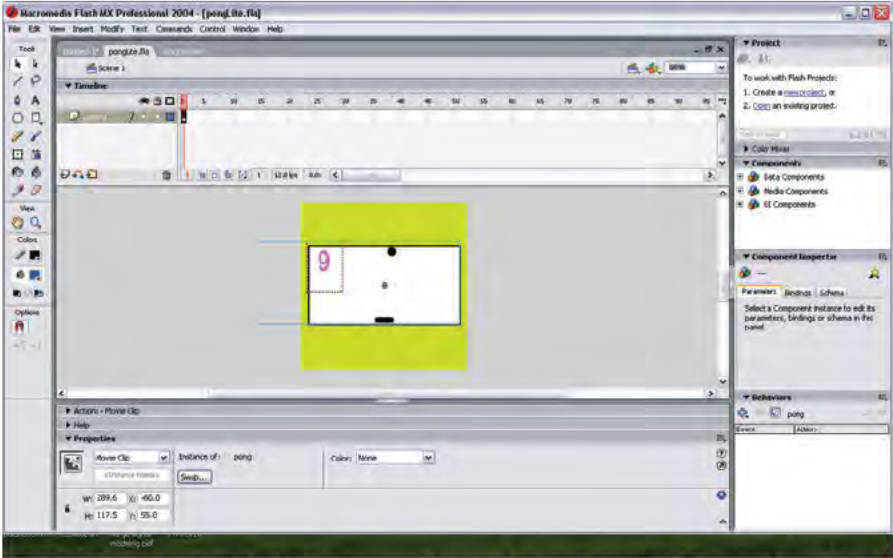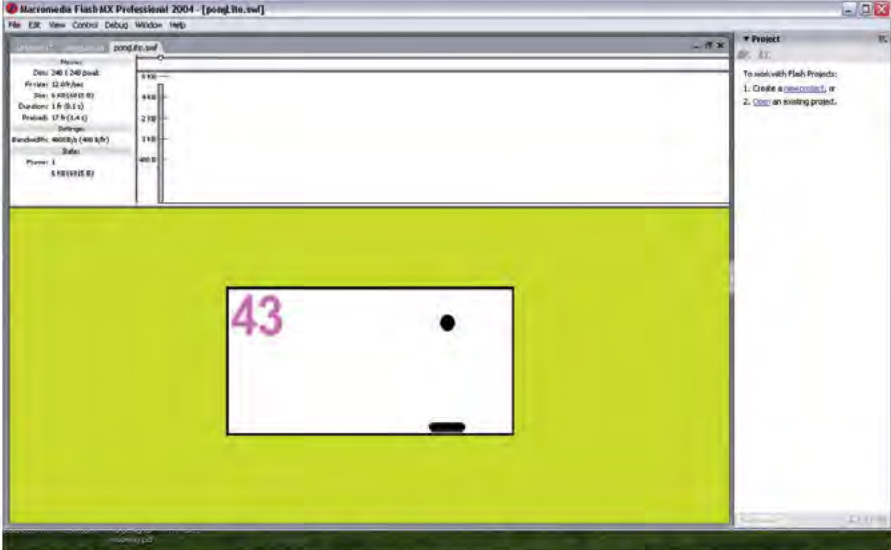| '192 Claim 1	Reference/Combination
	Above is a screenshot of the software authoring interface of Flash MX Professional 2004 using Breakout.fla and Breakout.swf from Flash MX 2004 Games by Nik Lever.

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'192 Claim 1	Reference/Combination
	Screenshot of Flash MX Professional 2004 interface with "Actions – Frame" window enabling editing ActionScript scripts within the Flash application. For example, Flash MX Professional 2004 includes a software authoring interface for Flash applications. [*Flash MX 2004 Using Flash*, p. 390] Flash content is viewable across multiple browsers, platforms, and mobile phones. You can author the following: • High-quality animations

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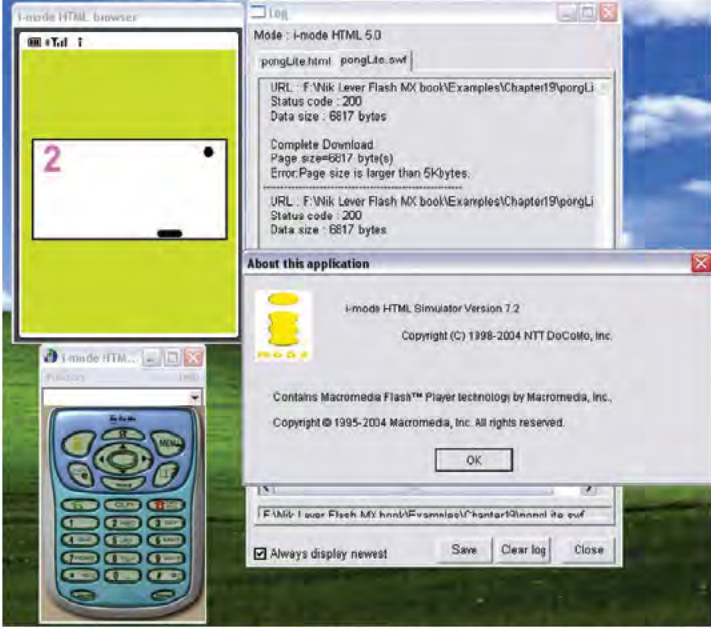| '192 Claim 1	Reference/Combination
	• Games • Rich-media custom user interfaces for devices and desktop systems • Immersive e-commerce and business solutions [¶] In addition, Flash files are compact, making them perfect for wireless carrier networks, where transfer rates range between 9.6 and 60 kilobytes per second (Kbps). Mobile devices, unlike desktop computers, have limited storage capability, so the small footprint of Flash is ideal. [¶] The mobile device templates let you create content for many mobile devices available today. Use the device skins in the templates to preview your content as it will look on the device. [¶] Note: The skins are on guide layers and won't export with your content or appear at runtime. [¶] For more information on authoring Flash files for mobile devices, please visit the Macromedia Mobile Devices site at www.macromedia.com/devnet/devices/. [*Flash MX 2004 Using Flash*, p. 39] Close the test window to return to the normal authoring environment. [¶] Once you've set up a test environment incorporating the Bandwidth Profiler, you can open any SWF file directly in test mode. The file opens in a Flash Player window, using the Bandwidth Profiler and other selected viewing options. For example, Flash MX Professional 2004 includes an authoring environment for ActionScript, a programming language used in developing Flash content for a mobile device. [*Flash MX 2004 Using Flash*, p. 18] ActionScript is the Flash scripting language that enables you to add complex interactivity, playback control, and data display to a Flash document. You can add ActionScript within the Flash authoring environment using the Actions panel [...] To the extent this limitation is not explicitly disclosed by the Flash MX Professional 2004 system, it is inherent or would have been obvious to a POSA from the teachings of the Flash MX Professional 2004

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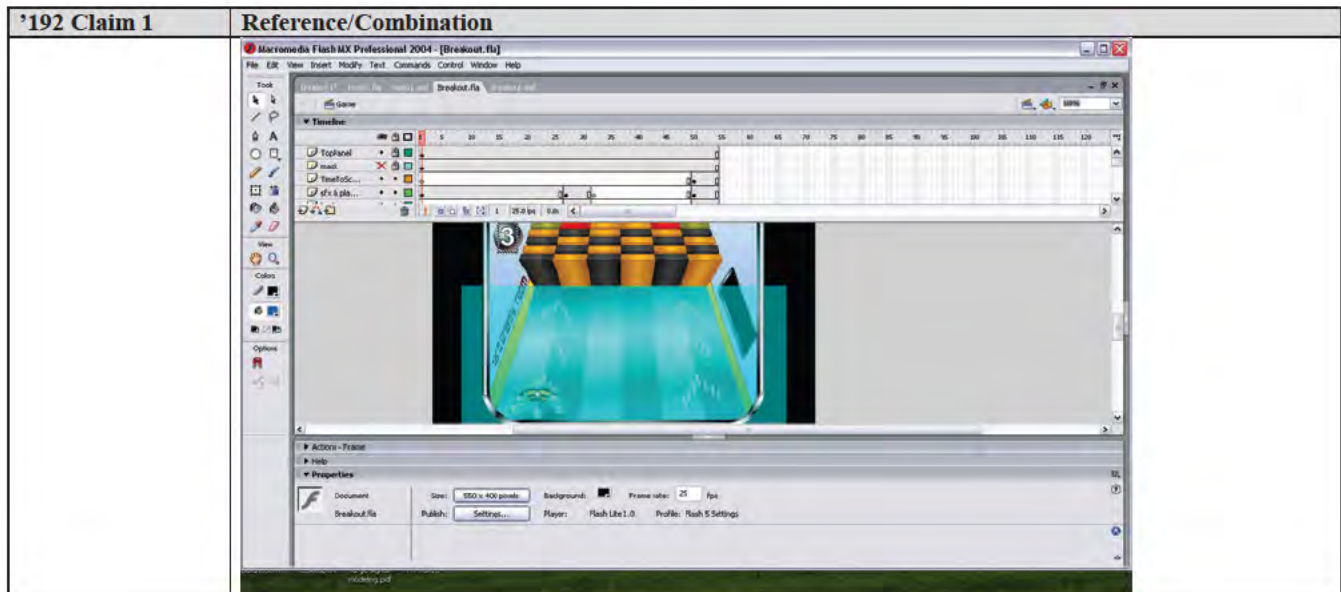| '192 Claim 1	Reference/Combination
	system, the knowledge of a POSA, and/or one or more of the references identified in JPMC's Invalidity Contentions.
1[b][2] configured to simultaneously visually emulate, via one or more profile display windows.	The Flash MX Professional 2004 system discloses this limitation. For example, Flash MX Professional 2004 simultaneously visually emulates a Flash application via one or more windows. See also claim limitation 1[b][1] (hereby incorporated by reference). Flash MX Professional 2004 simultaneously visually emulates via the main editing window with the stage. Here, it is configured to emulate the pongLite.fla Flash application from Flash MX 2004 Games by Nik Lever.

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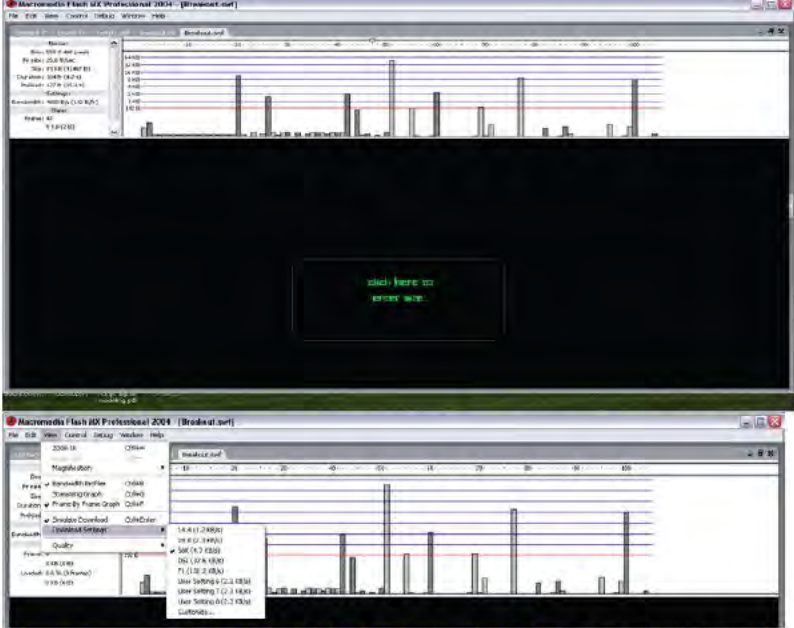| '192 Claim 1	Reference/Combination
	Flash MX Professional 2004 simultaneously visually emulates via the Test Movie window with the Bandwidth Profiler. Here, it is configured to emulate the pongLite.swf Flash application from Flash MX 2004 Games by Nik Lever.

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'192 Claim 1	Reference/Combination

The NTT DoCoMo, Inc. i-mode HTML Simulator Version 7.2 loads and displays Flash Lite applications, such as pongLite.swf from Flash MX 2004 Games by Nik Lever, a game formatted for the screen of a mobile device (at left, with mobile device keypad below left).

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'192 Claim 1	Reference/Combination

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'192 Claim 1	Reference/Combination
	 Above is a screenshot of Flash MX Professional 2004 using Breakout.fla and Breakout.swf from Flash MX 2004 Games by Nik Lever. For example, the Bandwidth Profiler in Flash MX Professional 2004 simultaneously visually emulates and/or simulates characteristics and displays a graph of the downloading performance of the Flash application. [*Flash MX 2004 Using Flash*, pp. 38–39] The Flash Player attempts to meet the frame rate you set; the actual frame rate during playback

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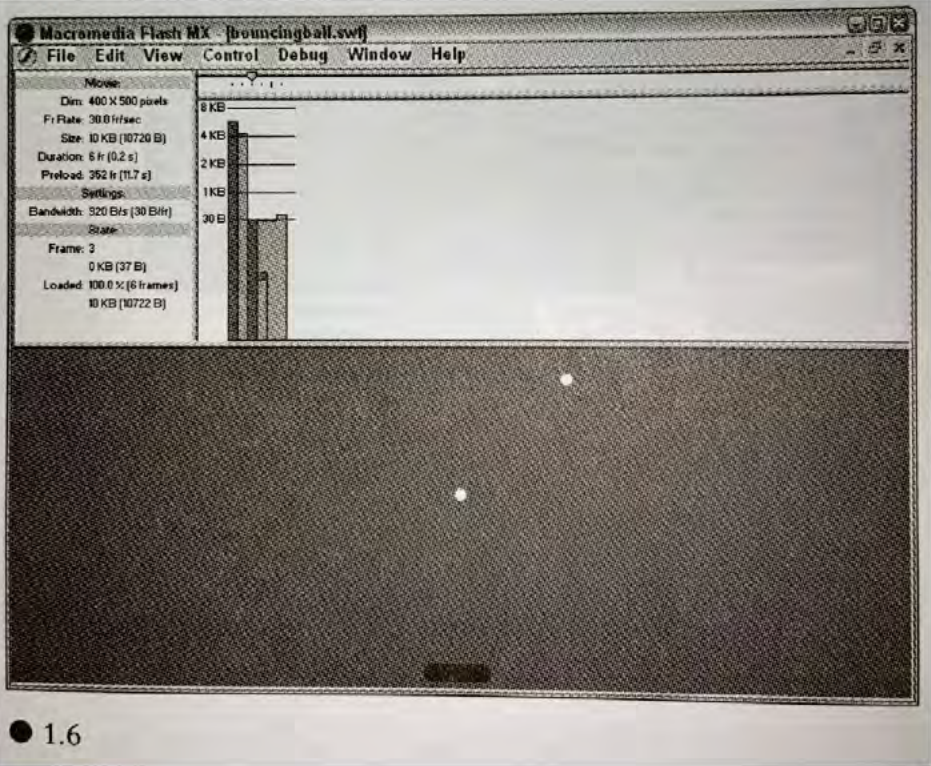| '192 Claim 1	Reference/Combination
	can vary on different computers. If a document that is downloading reaches a particular frame before the frame's required data has downloaded, the document pauses until the data arrives. [¶] To view downloading performance graphically, you can use the Bandwidth Profiler, which shows how much data is sent for each frame according to the modem speed you specify. The Bandwidth Profiler is divided into two panes. The left pane shows information about the document, the download settings, the state, and streams, if any are included. The right pane shows information about individual frames in the document. [¶] In simulating the downloading speed, Flash uses estimates of typical Internet performance, not the exact modem speed. For example, if you choose to simulate a modem speed of 28.8 Kbps, Flash sets the actual rate to 2.3 Kbps to reflect typical Internet performance. The profiler also compensates for the added compression support for SWF files, which reduces the file size and improves streaming performance. [¶] When external SWF files, GIF and XML files, and variables are streamed into a player by using ActionScript calls such as loadMovie and getUrl, the data flows at the rate set for streaming. The stream rate for the main SWF file is reduced based on the reduction of bandwidth caused by the additional data requests. It's helpful to test your document at each speed you intend to support, and on each computer you intend to support. This helps you ensure that the document doesn't overburden the slowest connection and computer it is designed for. [¶] You can also generate a report of frames that are slowing playback, and then optimize or eliminate some of the content in those frames. See "Optimizing Flash documents" on page 36. [¶] To change the settings for the SWF file created using the Test Movie and Test Scene commands, use File > Publish Settings. See "Publishing Flash documents" on page 281. [¶] To test download performance: [¶] Do one of the following: [¶] Select Control > Test Scene or Control > Test Movie. [¶] If you test a scene or document, Flash publishes the current selection as a SWF file using the settings in the Publish Settings dialog box. (See "Publishing Flash documents" on page 281.) The SWF file opens in a new window and begins playing immediately. [¶] Select File > Open, and select a SWF file. [¶] Select View > Download Settings, and select a download speed to determine the streaming rate

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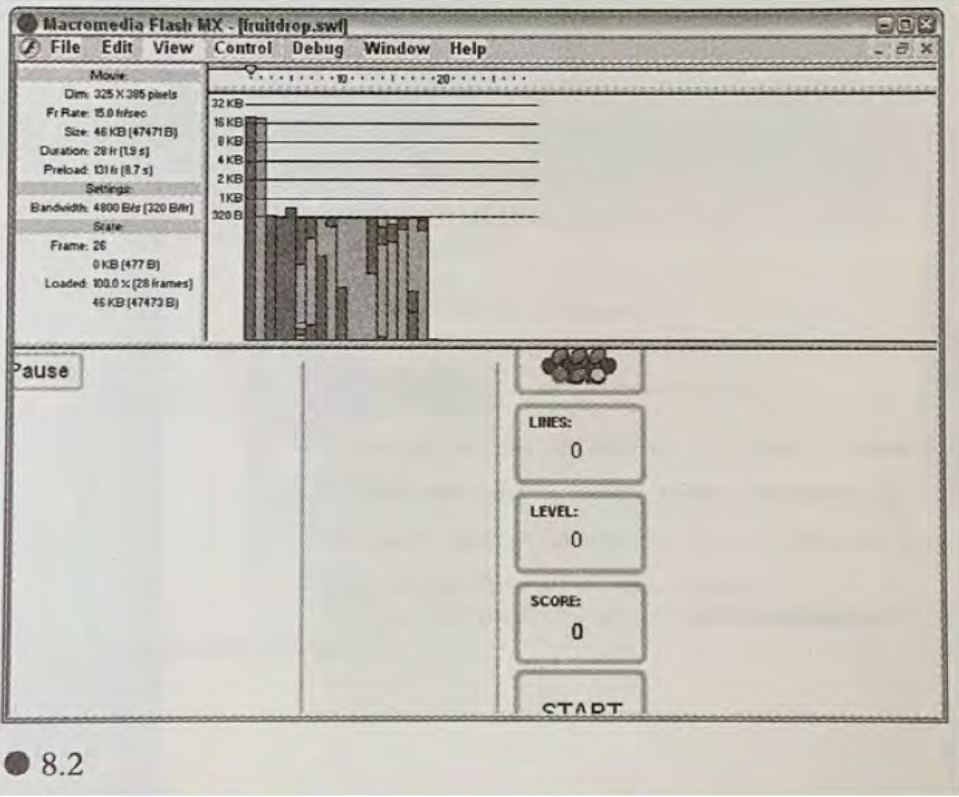| '192 Claim 1	Reference/Combination
	that Flash simulates: 14.4 Kbps, 28.8 Kbps, 56 Kbps, DSL, T1 or a User Setting. To enter your your own User Setting, select Customize. [¶] When viewing the SWF file, select View > Bandwidth Profiler to display a graph of the downloading performance. [¶] The left side of the profiler displays information about the document, its settings, its state, and streams, if any are included in the document. [¶] The right section of the profiler shows the Timeline header and graph. In the graph, each bar represents an individual frame of the document. The size of the bar corresponds to that frame's size in bytes. The red line beneath the Timeline header indicates whether a given frame streams in real time with the current modem speed set in the Control menu. If a bar extends above the red line, the document must wait for that frame to load. [¶] Select View > Simulate Download to turn streaming off or on. [¶] If you turn streaming off, the document starts over without simulating a web connection. [¶] Click a bar on the graph to display settings for the corresponding frame in the left window and stop the document. [¶] If necessary, adjust the view of the graph: [¶] Select View > Streaming Graph to show which frames cause pauses. This default view displays alternating light and dark gray blocks representing each frame. The side of each block indicates its relative byte size. The first frame stores a symbol's contents, so it is often larger than other frames. [¶] Select View > Frame by Frame Graph to display the size of each frame. This view helps you see which frames contribute to streaming delays. If any frame block extends above the red line in the graph, the Flash Player halts playback until the entire frame downloads. [¶] Close the test window to return to the normal authoring environment. [¶] Once you've set up a test environment incorporating the Bandwidth Profiler, you can open any SWF file directly in test mode. The file opens in a Flash Player window, using the Bandwidth Profiler and other selected viewing options. [¶] For more information on debugging your documents, see "Writing and Debugging Scripts" in ActionScript Reference Guide Help. [¶] To generate a report listing the amount of data in the final Flash Player file: [¶] Select File > Publish Settings and click the Flash tab. [¶] Select Generate Size Report. [¶] Click Publish. [¶]

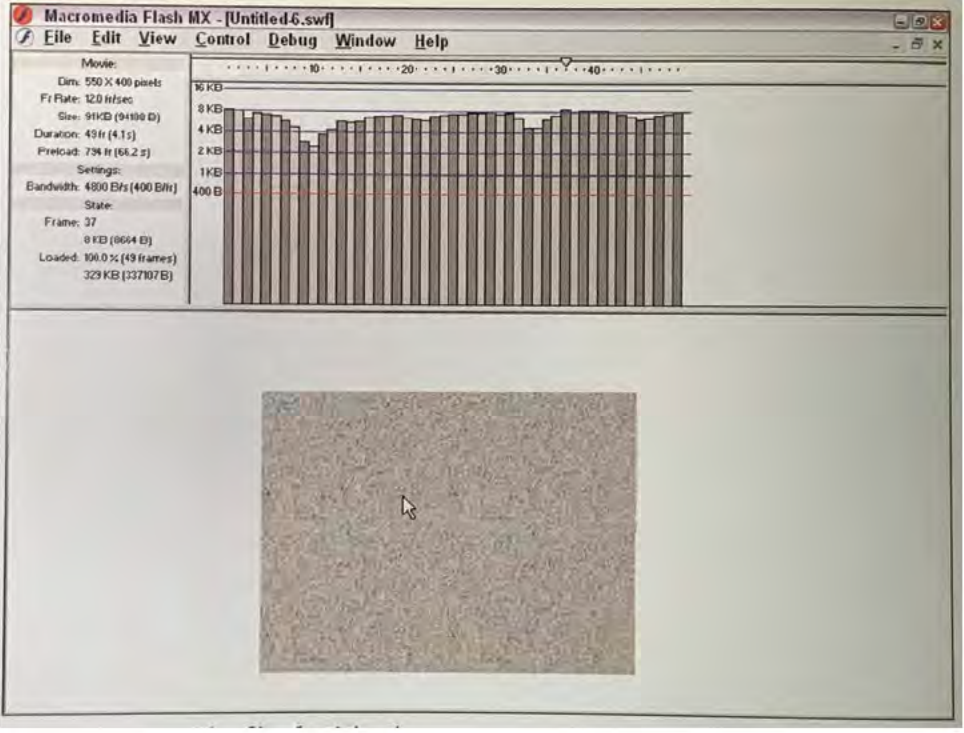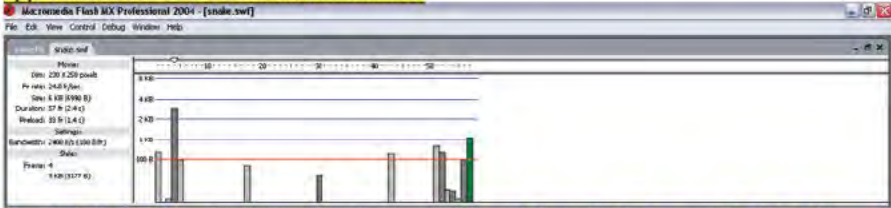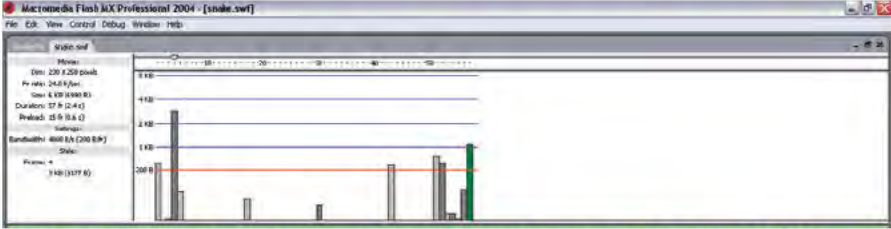*Wapp Tech Limited Partnership et al. v. JPMorgan Chase Bank, N.A.*, No. 4:23-cv-1137 (E.D. Tex.)

'192 Claim 1	Reference/Combination
	Flash generates a text file with the extension .txt. (If the document file is myMovie.fla, the text file is myMovie Report.txt.) The report lists the size of each frame, shape, text, sound, video and ActionScript script by frame. [*Flash MX 2004 Using Flash*, p. 390] In addition, Flash files are compact, making them perfect for wireless carrier networks, where transfer rates range between 9.6 and 60 kilobytes per second (Kbps). Mobile devices, unlike desktop computers, have limited storage capability, so the small footprint of Flash is ideal. David discloses, via screenshots, the appearance of the Bandwidth Profiler. [David, p. 7]

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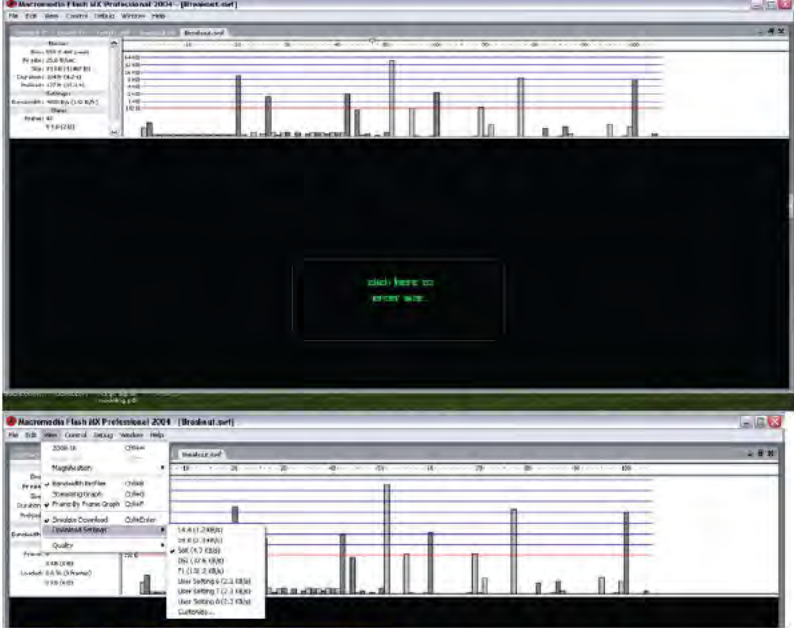*Wapp Tech Limited Partnership et al. v. JPMorgan Chase Bank, N.A.*, No. 4:23-cv-1137 (E.D. Tex.)

'192 Claim 1	Reference/Combination
	[David, p. 98]

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'192 Claim 1	Reference/Combination
	● 8.2
	[David, #18 of 32 unnumbered pages between pages numbered 192 and 193]

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'192 Claim 1	Reference/Combination
	To the extent this limitation is not explicitly disclosed by the Flash MX Professional 2004 system, it is inherent or would have been obvious to a POSA from the teachings of the Flash MX Professional 2004 system, the knowledge of a POSA, and/or one or more of the references identified in JPMC's Invalidity Contentions.

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'192 Claim 1	Reference/Combination
1[b][3] a plurality of network characteristics indicative of performance of the mobile device when executing the application;	The Flash MX Professional 2004 system discloses this limitation. For example, the Bandwidth Profiler simulates and/or emulates network characteristics while the Flash application runs in the emulator/simulator. Bandwidth Profiler simulating a web connection and download at a speed of 28.8 kbps. Bandwidth Profiler simulating a web connection and download at a speed of 56 kbps. Screenshots above from the Flash MX Professional 2004 emulator show a plurality of network characteristics, including "Bandwidth" and the amount of time needed for "Preload" for snake.swf.

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'192 Claim 1	Reference/Combination
	Bandwidth Profiler simulation options. For example, the Bandwidth Profiler in Flash MX Professional 2004 simultaneously visually emulates and/or simulates a download, modem speed, a web connection (a network connection state), compression, streams, typical Internet performance (bandwidth), and additional data requests, indicative of performance of the mobile device when executing the Flash application. [*Flash MX 2004 Using Flash*, pp. 38–39]

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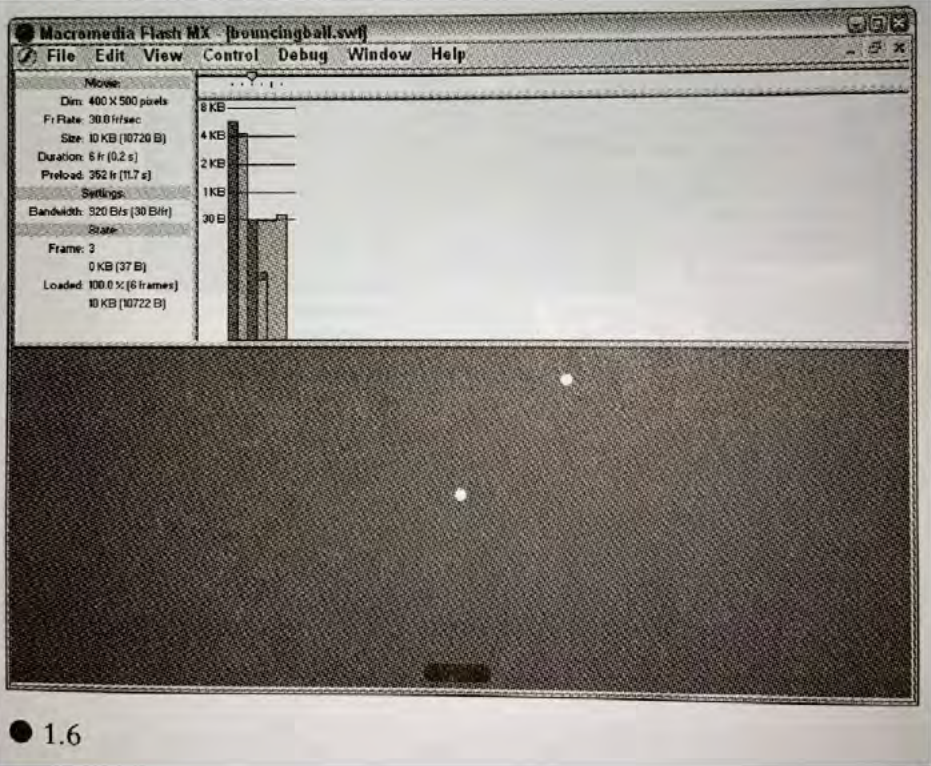| '192 Claim 1	Reference/Combination
	The Flash Player attempts to meet the frame rate you set; the actual frame rate during playback can vary on different computers. If a document that is downloading reaches a particular frame before the frame's required data has downloaded, the document pauses until the data arrives. [¶]
	To view downloading performance graphically, you can use the Bandwidth Profiler, which shows how much data is sent for each frame according to the modem speed you specify. The Bandwidth Profiler is divided into two panes. The left pane shows information about the document, the download settings, the state, and streams, if any are included. The right pane shows information about individual frames in the document. [¶]
	In simulating the downloading speed, Flash uses estimates of typical Internet performance, not the exact modem speed. For example, if you choose to simulate a modem speed of 28.8 Kbps, Flash sets the actual rate to 2.3 Kbps to reflect typical Internet performance. The profiler also compensates for the added compression support for SWF files, which reduces the file size and improves streaming performance. [¶]
	When external SWF files, GIF and XML files, and variables are streamed into a player by using ActionScript calls such as loadMovie and getUrl, the data flows at the rate set for streaming. The stream rate for the main SWF file is reduced based on the reduction of bandwidth caused by the additional data requests. It's helpful to test your document at each speed you intend to support, and on each computer you intend to support. This helps you ensure that the document doesn't overburden the slowest connection and computer it is designed for. [¶]
	You can also generate a report of frames that are slowing playback, and then optimize or eliminate some of the content in those frames. See "Optimizing Flash documents" on page 36. [¶]
	To change the settings for the SWF file created using the Test Movie and Test Scene commands, use File > Publish Settings. See "Publishing Flash documents" on page 281. [¶]
	To test download performance: [¶] Do one of the following: [¶] Select Control > Test Scene or Control > Test Movie. [¶] If you test a scene or document, Flash publishes the current selection as a SWF file using the settings in the Publish Settings dialog box. (See "Publishing Flash documents" on page 281.) The SWF file opens in a new window and begins playing immediately. [¶] Select File > Open, and select a SWF file. [¶]

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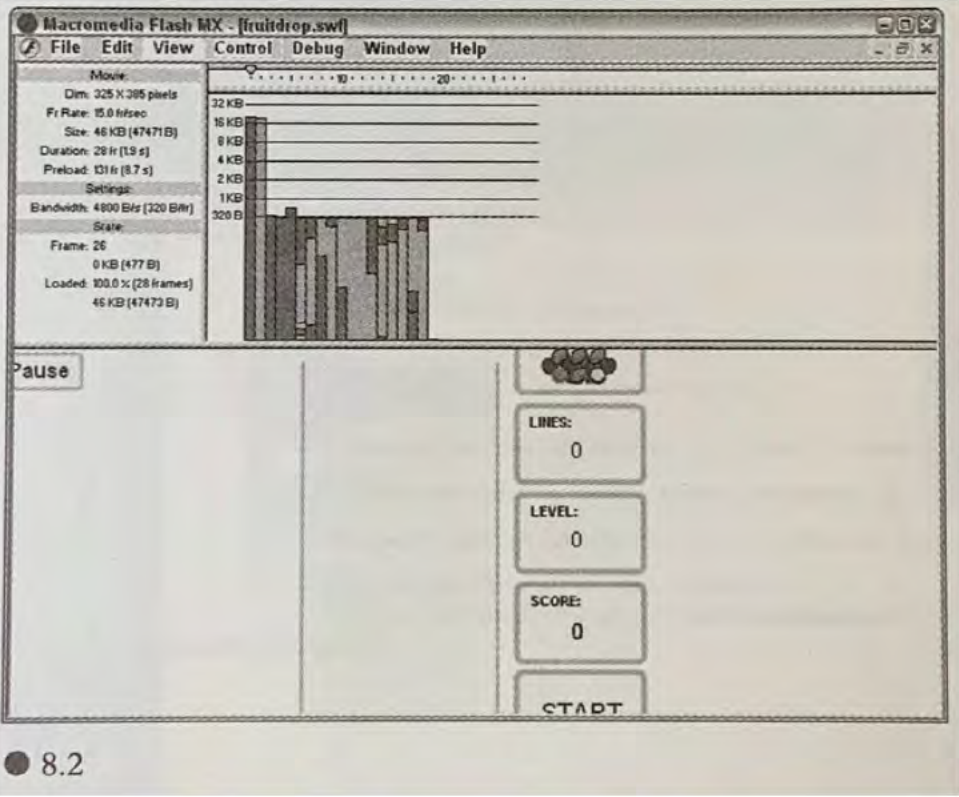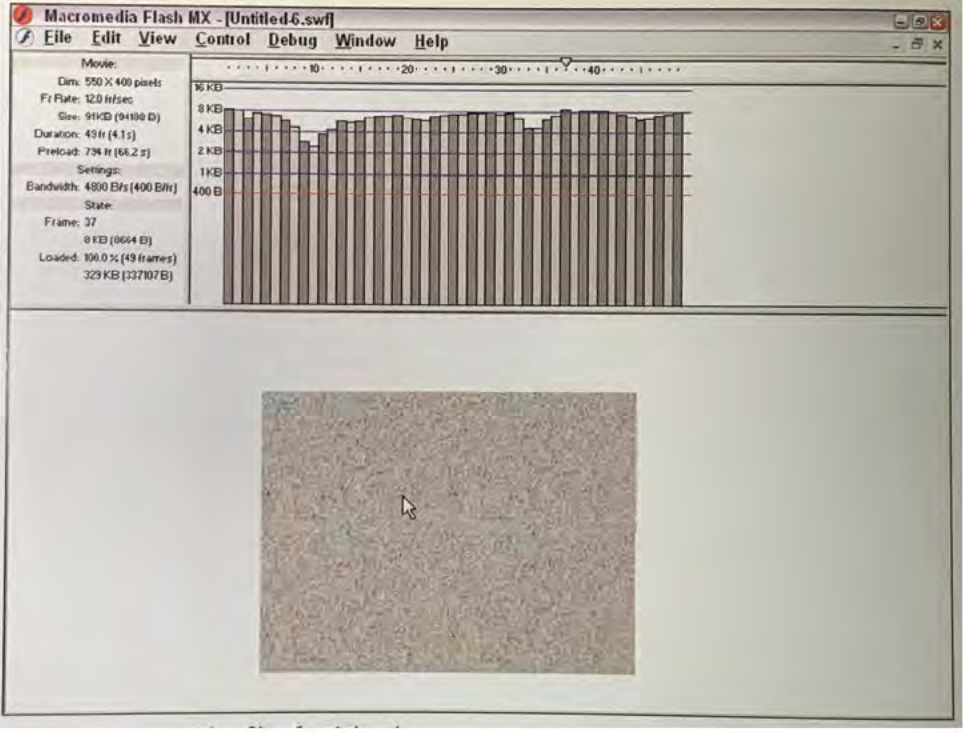| '192 Claim 1	Reference/Combination
	Select View > Download Settings, and select a download speed to determine the streaming rate that Flash simulates: 14.4 Kbps, 28.8 Kbps, 56 Kbps, DSL, T1 or a User Setting. To enter your your own User Setting, select Customize. [¶] When viewing the SWF file, select View > Bandwidth Profiler to display a graph of the downloading performance. [¶] The left side of the profiler displays information about the document, its settings, its state, and streams, if any are included in the document. [¶] The right section of the profiler shows the Timeline header and graph. In the graph, each bar represents an individual frame of the document. The size of the bar corresponds to that frame's size in bytes. The red line beneath the Timeline header indicates whether a given frame streams in real time with the current modem speed set in the Control menu. If a bar extends above the red line, the document must wait for that frame to load. [¶] Select View > Simulate Download to turn streaming off or on. [¶] If you turn streaming off, the document starts over without simulating a web connection. [¶] Click a bar on the graph to display settings for the corresponding frame in the left window and stop the document. [¶] If necessary, adjust the view of the graph: [¶] Select View > Streaming Graph to show which frames cause pauses. This default view displays alternating light and dark gray blocks representing each frame. The side of each block indicates its relative byte size. The first frame stores a symbol's contents, so it is often larger than other frames. [¶] Select View > Frame by Frame Graph to display the size of each frame. This view helps you see which frames contribute to streaming delays. If any frame block extends above the red line in the graph, the Flash Player halts playback until the entire frame downloads. [¶] Close the test window to return to the normal authoring environment. [¶] Once you've set up a test environment incorporating the Bandwidth Profiler, you can open any SWF file directly in test mode. The file opens in a Flash Player window, using the Bandwidth Profiler and other selected viewing options. [¶] For more information on debugging your documents, see "Writing and Debugging Scripts" in ActionScript Reference Guide Help. [¶]

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'192 Claim 1	Reference/Combination
	To generate a report listing the amount of data in the final Flash Player file: [¶] Select File > Publish Settings and click the Flash tab. [¶] Select Generate Size Report. [¶] Click Publish. [¶] Flash generates a text file with the extension .txt. (If the document file is myMovie.fla, the text file is myMovie Report.txt.) The report lists the size of each frame, shape, text, sound, video and ActionScript script by frame. [*Flash MX 2004 Using Flash*, p. 390] In addition, Flash files are compact, making them perfect for wireless carrier networks, where transfer rates range between 9.6 and 60 kilobytes per second (Kbps). Mobile devices, unlike desktop computers, have limited storage capability, so the small footprint of Flash is ideal. David discloses, via screenshots, the appearance of the Bandwidth Profiler. [David, p. 7]

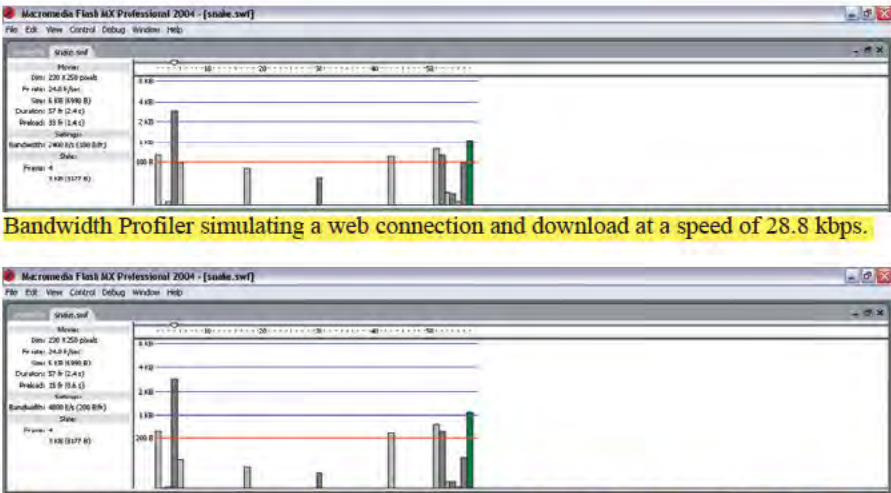*Wapp Tech Limited Partnership et al. v. JPMorgan Chase Bank, N.A.*, No. 4:23-cv-1137 (E.D. Tex.)

'192 Claim 1	Reference/Combination
	● 1.6 [David, p. 98]

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'192 Claim 1	Reference/Combination
	  ● 8.2 [David, #18 of 32 unnumbered pages between pages numbered 192 and 193]

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'192 Claim 1	Reference/Combination
	To the extent this limitation is not explicitly disclosed by the Flash MX Professional 2004 system, it is inherent or would have been obvious to a POSA from the teachings of the Flash MX Professional 2004 system, the knowledge of a POSA, and/or one or more of the references identified in JPMC's Invalidity Contentions.

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'192 Claim 1	Reference/Combination
1[c] wherein the software authoring interface is further configured to simulate a network connection state encountered by the mobile device.	The Flash MX Professional 2004 system discloses this limitation. For example, the Bandwidth Profiler in Flash MX Professional 2004 simultaneously visually emulates and/or simulates a download, modem speed, a web connection (a network connection state), compression, streams, typical Internet performance (bandwidth), and additional data requests, indicative of performance of the mobile device when executing the Flash application. See disclosures for claim limitation 1[b][3] (hereby incorporated by reference). In so doing, the Bandwidth Profiler simulates a network connection state encountered by the mobile device. To the extent this limitation is not explicitly disclosed by the Flash MX Professional 2004 system, it is inherent or would have been obvious to a POSA from the teachings of the Flash MX Professional 2004 system, the knowledge of a POSA, and/or one or more of the references identified in JPMC's Invalidity Contentions.

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'192 Claim 2	Reference/Combination
2[a] The system of claim 1, wherein the software authoring interface is configured to enable a user to select from one or more connection simulations for testing how well mobile content performs on the mobile device.	The Flash MX Professional 2004 system discloses this limitation. For example, the Bandwidth Profiler offers multiple connection simulations at different speeds for testing the Flash content. Bandwidth Profiler simulating a web connection and download at a speed of 28.8 kbps. Bandwidth Profiler simulating a web connection and download at a speed of 56 kbps. Screenshots above from the Flash MX Professional 2004 emulator show a plurality of network characteristics, including "Bandwidth" and the amount of time needed for "Preload" for snake.swf.

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'192 Claim 2	Reference/Combination
	Bandwidth Profiler simulation options. For example, the Bandwidth Profiler in Flash MX Professional 2004 simultaneously visually emulates and/or simulates a download, modem speed, a web connection (a network connection state), compression, streams, typical Internet performance (bandwidth), and additional data requests, indicative of performance of the mobile device when executing the Flash application. See disclosures for claim limitation 1[b][3] (hereby incorporated by reference). In so doing, the Bandwidth Profiler simulates a network connection state encountered by the mobile device. See disclosures for claim limitation 1[c] (hereby incorporated by reference). In so doing, the Bandwidth Profiler simulates a network connection for testing how well mobile content performs on the mobile device. In addition, the Bandwidth Profiler enables the user to both select and customize the download speed to determine the streaming rate that is simulated, thereby enabling a user to select from multiple connection simulations for testing how well mobile content performs on the mobile device. [*Flash MX 2004 Using Flash*, p. 385] Bandwidth Selection template uses forms and components to present the selection interface. This interface lets users control how much content they receive and lets authors tailor their applications to a variety of connection speeds. After the user makes a speed selection, the media playback component is directed to play the specified video. [¶] The Select screen contains radio buttons that allow bandwidth selection. ActionScript to handle the selection of radio buttons is included within the Timeline of this screen. [¶] To change the option labels or the number of options that users is presented, you can add, remove, or edit the components on the Select form.

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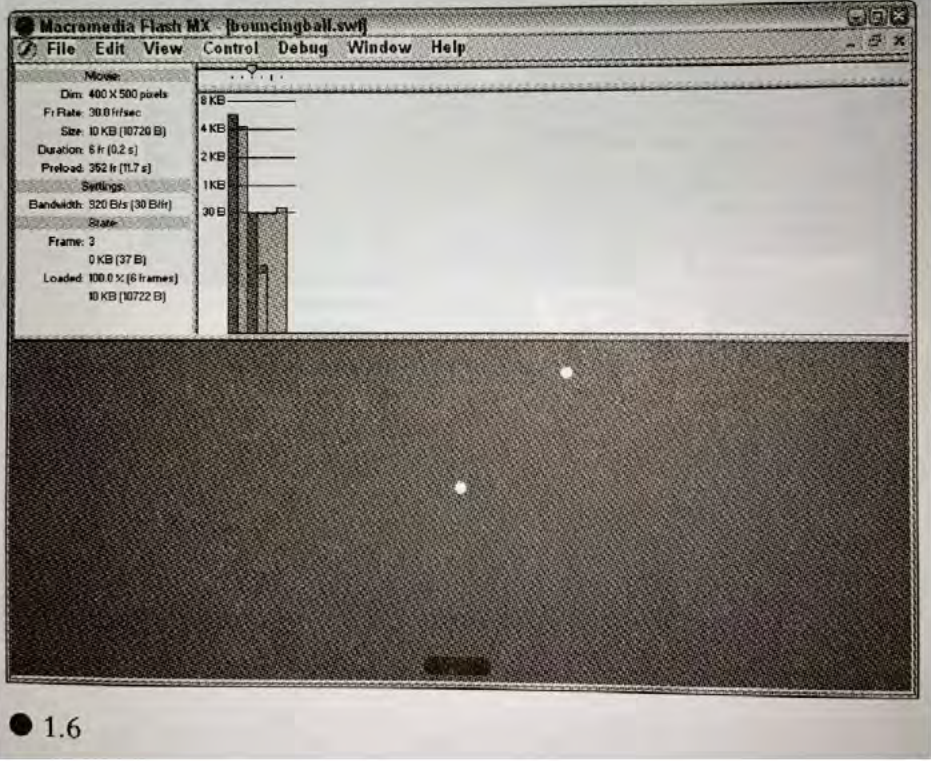| '192 Claim 2	Reference/Combination
	[*Flash MX 2004 Using Flash*, pp. 38–39] The Flash Player attempts to meet the frame rate you set; the actual frame rate during playback can vary on different computers. If a document that is downloading reaches a particular frame before the frame's required data has downloaded, the document pauses until the data arrives. [¶] To view downloading performance graphically, you can use the Bandwidth Profiler, which shows how much data is sent for each frame according the modem speed you specify. The Bandwidth Profiler is divided into two panes. The left pane shows information about the document, the download settings, the state, and streams, if any are included. The right pane shows information about individual frames in the document. [¶] In simulating the downloading speed, Flash uses estimates of typical Internet performance, not the exact modem speed. For example, if you choose to simulate a modem speed of 28.8 Kbps, Flash sets the actual rate to 2.3 Kbps to reflect typical Internet performance. The profiler also compensates for the added compression support for SWF files, which reduces the file size and improves streaming performance. [¶] When external SWF files, GIF and XML files, and variables are streamed into a player by using ActionScript calls such as loadMovie and getUrl, the data flows at the rate set for streaming. The stream rate for the main SWF file is reduced based on the reduction of bandwidth caused by the additional data requests. It's helpful to test your document at each speed you intend to support, and on each computer you intend to support. This helps you ensure that the document doesn't overburden the slowest connection and computer it is designed for. [¶] You can also generate a report of frames that are slowing playback, and then optimize or eliminate some of the content in those frames. See "Optimizing Flash documents" on page 36. [¶] To change the settings for the SWF file created using the Test Movie and Test Scene commands, use File > Publish Settings. See "Publishing Flash documents" on page 281. [¶] To test download performance: [¶] Do one of the following: [¶] Select Control > Test Scene or Control > Test Movie. [¶] If you test a scene or document, Flash publishes the current selection as a SWF file using the settings in the Publish Settings dialog box. (See "Publishing Flash documents" on page 281.) The SWF file opens in a new window and begins playing immediately. [¶] Select File > Open, and select a SWF file. [¶]

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Wapp Tech Limited Partnership et al. v. JPMorgan Chase Bank, N.A., No. 4:23-cv-1137 (E.D. Tex.)

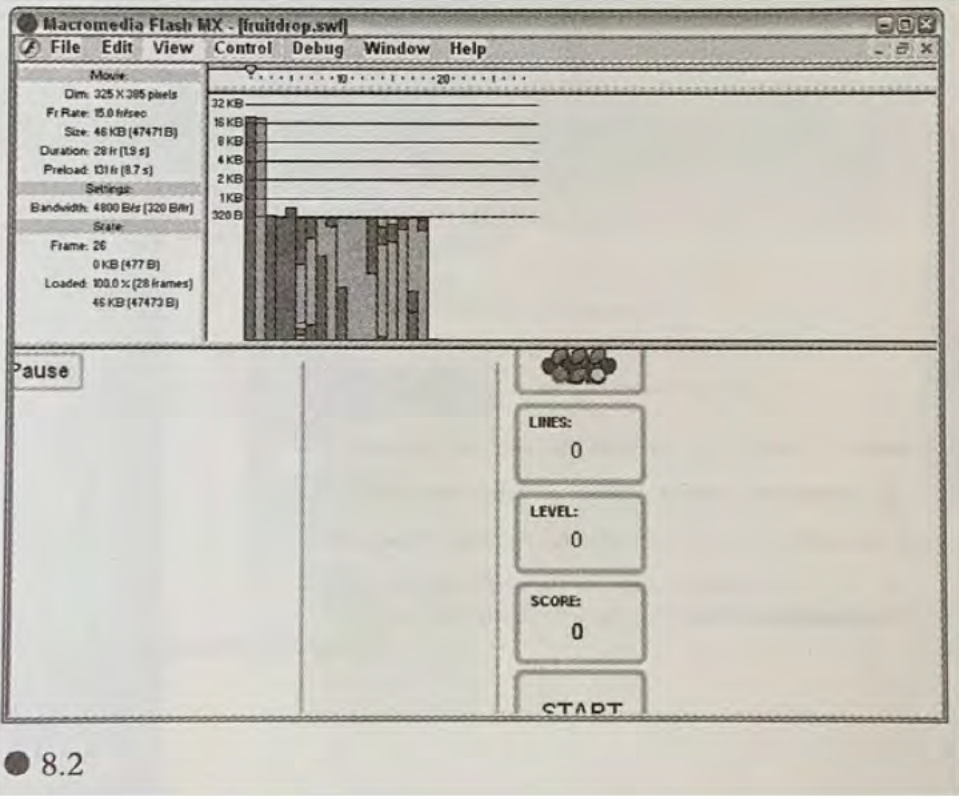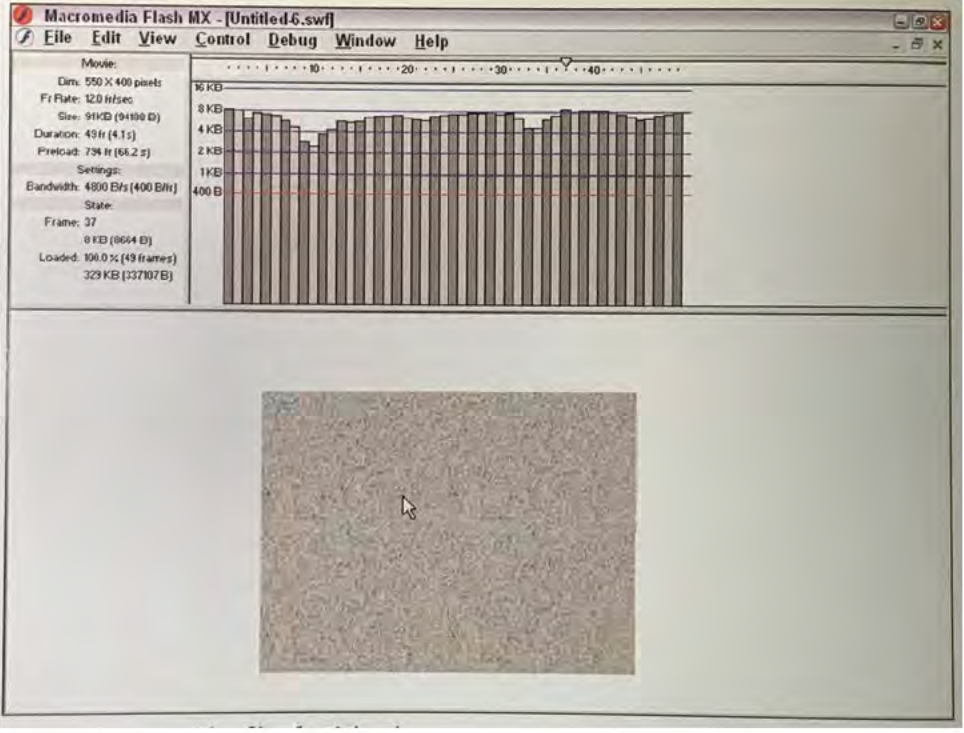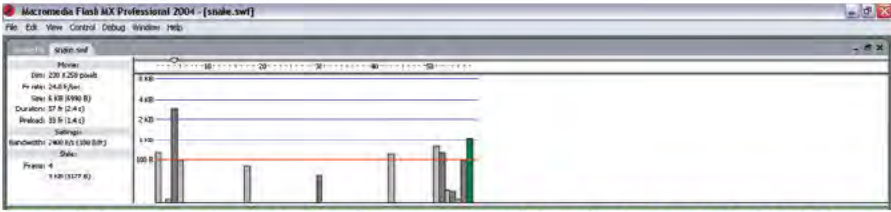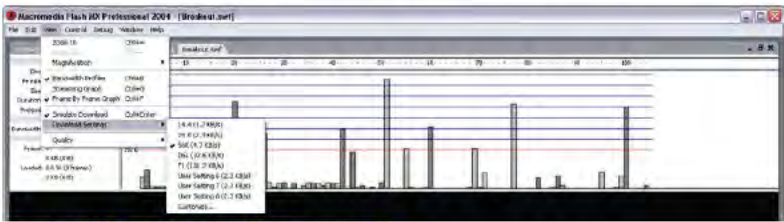| '192 Claim 2	Reference/Combination
	Select View > Download Settings, and select a download speed to determine the streaming rate that Flash simulates: 14.4 Kbps, 28.8 Kbps, 56 Kbps, DSL, T1 or a User Setting. To enter your your own User Setting, select Customize. [¶] When viewing the SWF file, select View > Bandwidth Profiler to display a graph of the downloading performance. [¶] The left side of the profiler displays information about the document, its settings, its state, and streams, if any are included in the document. [¶] The right section of the profiler shows the Timeline header and graph. In the graph, each bar represents an individual frame of the document. The size of the bar corresponds to that frame's size in bytes. The red line beneath the Timeline header indicates whether a given frame streams in real time with the current modem speed set in the Control menu. If a bar extends above the red line, the document must wait for that frame to load. [¶] Select View > Simulate Download to turn streaming off or on. [¶] If you turn streaming off, the document starts over without simulating a web connection. [¶] Click a bar on the graph to display settings for the corresponding frame in the left window and stop the document. [¶] If necessary, adjust the view of the graph: [¶] Select View > Streaming Graph to show which frames cause pauses. This default view displays alternating light and dark gray blocks representing each frame. The side of each block indicates its relative byte size. The first frame stores a symbol's contents, so it is often larger than other frames. [¶] Select View > Frame by Frame Graph to display the size of each frame. This view helps you see which frames contribute to streaming delays. If any frame block extends above the red line in the graph, the Flash Player halts playback until the entire frame downloads. [¶] Close the test window to return to the normal authoring environment. [¶] Once you've set up a test environment incorporating the Bandwidth Profiler, you can open any SWF file directly in test mode. The file opens in a Flash Player window, using the Bandwidth Profiler and other selected viewing options. [¶] For more information on debugging your documents, see "Writing and Debugging Scripts" in ActionScript Reference Guide Help. [¶]

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'192 Claim 2	Reference/Combination
	To generate a report listing the amount of data in the final Flash Player file: [¶] Select File > Publish Settings and click the Flash tab. [¶] Select Generate Size Report. [¶] Click Publish. [¶]
	Flash generates a text file with the extension .txt. (If the document file is myMovie.fla, the text file is myMovie Report.txt.) The report lists the size of each frame, shape, text, sound, video and ActionScript script by frame.
	[*Flash MX 2004 Using Flash*, p. 390] In addition, Flash files are compact, making them perfect for wireless carrier networks, where transfer rates range between 9.6 and 60 kilobytes per second (Kbps). Mobile devices, unlike desktop computers, have limited storage capability, so the small footprint of Flash is ideal.
	David discloses, via screenshots, the appearance of the Bandwidth Profiler.
	[David, p. 7]

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'192 Claim 2	Reference/Combination
	● 1.6
	[David, p. 98]

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'192 Claim 2	Reference/Combination

8.2

[David, #18 of 32 unnumbered pages between pages numbered 192 and 193]

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'192 Claim 2	Reference/Combination
	To the extent this limitation is not explicitly disclosed by the Flash MX Professional 2004 system, it is inherent or would have been obvious to a POSA from the teachings of the Flash MX Professional 2004 system, the knowledge of a POSA, and/or one or more of the references identified in JPMC's Invalidity Contentions.

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'192 Claim 2	Reference/Combination

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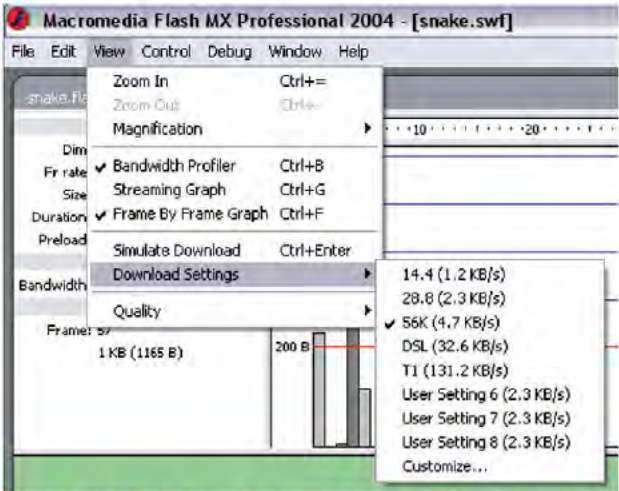| '192 Claim 3	Reference/Combination
3[a] The system of claim 2, wherein the one or more connection simulations are configured to simulate wireless transmission of content to the mobile device based on the selected connection simulation.	The Flash MX Professional 2004 system discloses this limitation. Bandwidth Profiler simulating a web connection and download at a speed of 28.8 kbps. Bandwidth Profiler simulating a web connection and download at a speed of 56 kbps. Screenshots above from the Flash MX Professional 2004 emulator show a plurality of network characteristics, including "Bandwidth" and the amount of time needed for "Preload" for snake.swf. Bandwidth Profiler simulation options.

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'192 Claim 3	Reference/Combination
	For example, the Bandwidth Profiler in Flash MX Professional 2004 simultaneously visually emulates and/or simulates a download, modem speed, a web connection (a network connection state), compression, streams, typical Internet performance (bandwidth), and additional data requests, indicative of performance of the mobile device when executing the Flash application. See disclosures for claim limitation 1[b][3] (hereby incorporated by reference). In so doing, the Bandwidth Profiler simulates a network connection state encountered by the mobile device. See disclosures for claim limitation 1[c] (hereby incorporated by reference). In so doing, the Bandwidth Profiler simulates a network connection for testing how well mobile content performs on the mobile device. In addition, the Bandwidth Profiler enables the user to both select and customize the download speed to determine the streaming rate that is simulated, thereby enabling a user to select from multiple connection simulations for testing how well mobile content performs on the mobile device. See disclosures for claim limitation 2[a] (hereby incorporated by reference). This simulated download simulates transmission of the Flash application (content) to the mobile device based on the selected bandwidth (connection simulation). In addition, the Bandwidth Profiler connection simulations the manual expressly and/or inherently discloses that the bandwidths available to choose are within range of wireless carrier networks' transmission speeds at the time. [*Flash MX 2004 Using Flash*, p. 38] Select View > Download Settings, and select a download speed to determine the streaming rate that Flash simulates: 14.4 Kbps, 28.8 Kbps, 56 Kbps, DSL, T1 or a User Setting. To enter your your own User Setting, select Customize. [*Flash MX 2004 Using Flash*, p. 390] In addition, Flash files are compact, making them perfect for wireless carrier networks, where transfer rates range between 9.6 and 60 kilobytes per second (Kbps). Mobile devices, unlike desktop computers, have limited storage capability, so the small footprint of Flash is ideal.

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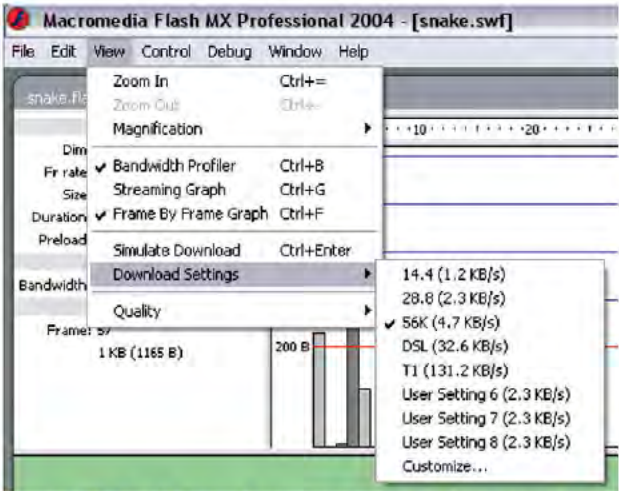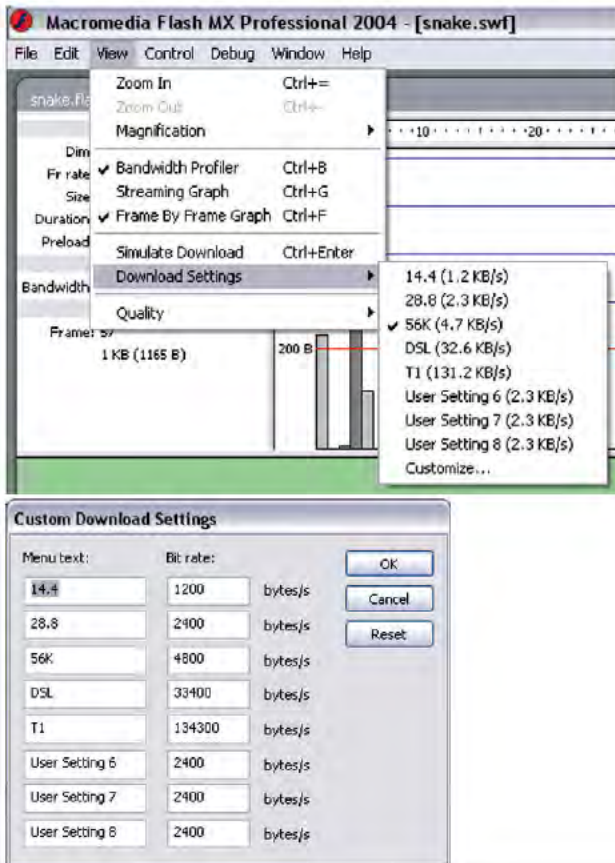| '192 Claim 3	Reference/Combination
	To the extent this limitation is not explicitly disclosed by the Flash MX Professional 2004 system, it is inherent or would have been obvious to a POSA from the teachings of the Flash MX Professional 2004 system, the knowledge of a POSA, and/or one or more of the references identified in JPMC's Invalidity Contentions.

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'192 Claim 4	Reference/Combination
4[a] The system of claim 2, wherein the connection simulation includes one or more profiles.	The Flash MX Professional 2004 system discloses this limitation. Bandwidth Profiler simulation options, including streaming rates (profiles). For example, the manual discloses that the Bandwidth Profiler connection simulation offers multiple download speeds (includes one or more profiles) to choose from. See disclosures for claim limitation 2[a] (hereby incorporated by reference). [*Flash MX 2004 Using Flash*, p. 38] Select View > Download Settings, and select a download speed to determine the streaming rate that Flash simulates: 14.4 Kbps, 28.8 Kbps, 56 Kbps, DSL, T1 or a User Setting. To enter your your own User Setting, select Customize.

Wapp Tech Limited Partnership et al. v. JPMorgan Chase Bank, N.A., No. 4:23-cv-1137 (E.D. Tex.)

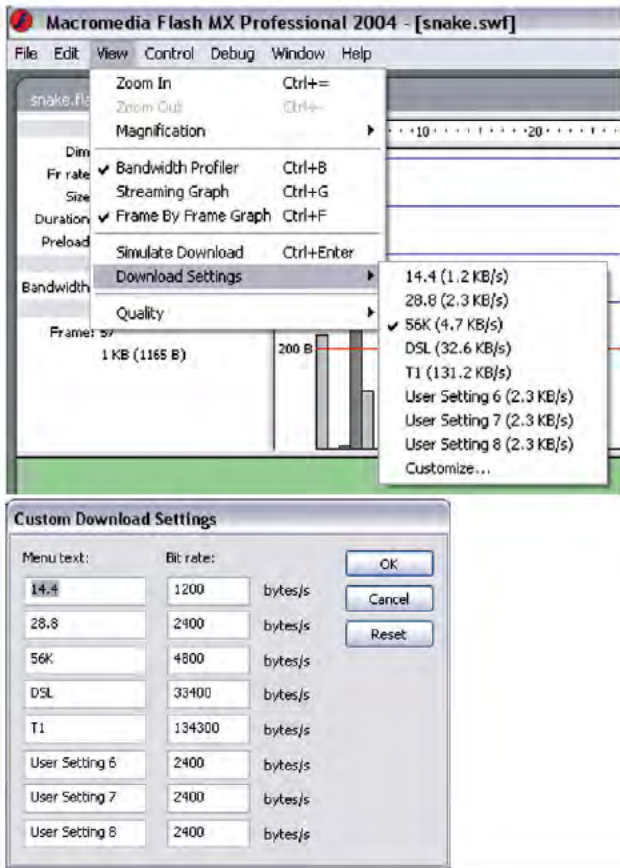| '192 Claim 4	Reference/Combination
	For example, Flash MX Professional 2004 enables inclusion of one or more publish profiles. [*Flash MX 2004 Using Flash*, pp. 295 – 296] You can create a publish profile that saves a configuration of publish settings. You can then export the publish profile for use in other documents, or for use by others. Conversely, you can import publish profiles for use in your document. […] Publish profiles, like default publish settings, are saved at the document rather than application level. To use a publish profile in another document, you export it, then import it into the other file. […] To modify a publish profile, you simply change the settings in the Publish Settings dialog box. To the extent this limitation is not explicitly disclosed by the Flash MX Professional 2004 system, it is inherent or would have been obvious to a POSA from the teachings of the Flash MX Professional 2004 system, the knowledge of a POSA, and/or one or more of the references identified in JPMC's Invalidity Contentions.

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'192 Claim 5	Reference/Combination
5[a] The system of claim 4, wherein the profiles include preset profiles.	The Flash MX Professional 2004 system discloses this limitation. Bandwidth Profiler simulation options, including preset streaming rates (profiles). For example, the manual discloses that the Bandwidth Profiler connection simulation offers multiple preset download speeds (includes preset profiles) to choose from. See disclosures for claim limitation 4[a] (hereby incorporated by reference). *[Flash MX 2004 Using Flash, p. 38]* Select View > Download Settings, and select a download speed to determine the streaming rate that Flash simulates: 14.4 Kbps, 28.8 Kbps, 56 Kbps, DSL, T1 or a User Setting. To enter your your own User Setting, select Customize.

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'192 Claim 5	Reference/Combination
	To the extent this limitation is not explicitly disclosed by the Flash MX Professional 2004 system, it is inherent or would have been obvious to a POSA from the teachings of the Flash MX Professional 2004 system, the knowledge of a POSA, and/or one or more of the references identified in JPMC's Invalidity Contentions.

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'192 Claim 6	Reference/Combination
6[a] The system of claim 4, wherein the profiles are configured to enable a user to manage the profiles.	The Flash MX Professional 2004 system discloses this limitation.

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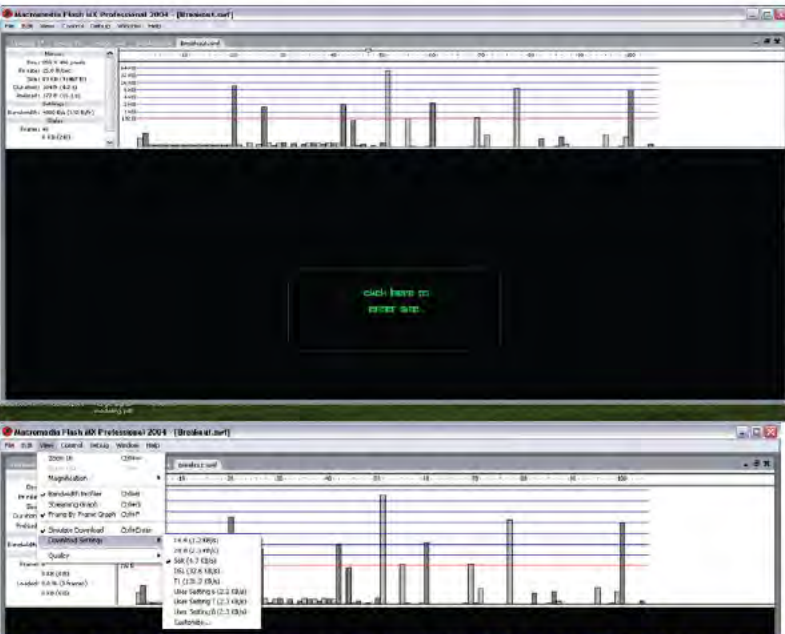| '192 Claim 6	Reference/Combination
	Bandwidth Profiler simulation options, including a "Customize…" option that enables the user to manage the preset profiles.
	For example, the manual discloses that the Bandwidth Profiler allows the user to customize download speeds (manage the profiles). See disclosures for claim limitation 4[a] (hereby incorporated by reference).
	[*Flash MX 2004 Using Flash*, p. 38] Select View > Download Settings, and select a download speed to determine the streaming rate that Flash simulates: 14.4 Kbps, 28.8 Kbps, 56 Kbps, DSL, T1 or a User Setting. To enter your your own User Setting, select Customize.
	To the extent this limitation is not explicitly disclosed by the Flash MX Professional 2004 system, it is inherent or would have been obvious to a POSA from the teachings of the Flash MX Professional 2004 system, the knowledge of a POSA, and/or one or more of the references identified in JPMC's Invalidity Contentions.

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'192 Claim 7	Reference/Combination
7[a] The system of claim 4, wherein the profiles are configured to enable a user to create custom profiles.	The Flash MX Professional 2004 system discloses this limitation.

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'192 Claim 7	Reference/Combination
	Bandwidth Profiler simulation options, including a "Customize…" option that enables the user to create custom profiles.
	For example, the manual discloses that the Bandwidth Profiler allows the user to customize download speeds (create custom profiles). See disclosures for claim limitation 4[a] (hereby incorporated by reference).
	[*Flash MX 2004 Using Flash*, p. 38] Select View > Download Settings, and select a download speed to determine the streaming rate that Flash simulates: 14.4 Kbps, 28.8 Kbps, 56 Kbps, DSL, T1 or a User Setting. To enter your your own User Setting, select Customize.
	To the extent this limitation is not explicitly disclosed by the Flash MX Professional 2004 system, it is inherent or would have been obvious to a POSA from the teachings of the Flash MX Professional 2004 system, the knowledge of a POSA, and/or one or more of the references identified in JPMC's Invalidity Contentions.

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'192 Claim 9	Reference/Combination
9[a] The system of claim 2, wherein the one or more connection simulations are based on data of interaction with network operators in non-simulated environments.	The Flash MX Professional 2004 system discloses this limitation. The Bandwidth Profiler's connection simulation is based on data of interaction with network operators in non-simulated environments. For example, the Bandwidth Profiler simulates a network connection for testing how well mobile content performs on the mobile device. In addition, the Bandwidth Profiler enables the user to both select and customize the download speed to determine the streaming rate that is simulated, thereby enabling a user to

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'192 Claim 9	Reference/Combination
	select from multiple connection simulations for testing how well mobile content performs on the mobile device. See disclosures for claim limitation 2[a] (hereby incorporated by reference).
	Moreover, the Bandwidth Profiler reduces the connection simulation speed to reflect typical Internet performance, i.e., based on data of interaction with network operations in non-simulated environments.
	[*Flash MX 2004 Using Flash*, pp. 38–39] The Flash Player attempts to meet the frame rate you set; the actual frame rate during playback can vary on different computers. If a document that is downloading reaches a particular frame before the frame's required data has downloaded, the document pauses until the data arrives. [¶]
	To view downloading performance graphically, you can use the Bandwidth Profiler, which shows how much data is sent for each frame according to the modem speed you specify. The Bandwidth Profiler is divided into two panes. The left pane shows information about the document, the download settings, the state, and streams, if any are included. The right pane shows information about individual frames in the document. [¶]
	In simulating the downloading speed, Flash uses estimates of typical Internet performance, not the exact modem speed. For example, if you choose to simulate a modem speed of 28.8 Kbps, Flash sets the actual rate to 2.3 Kbps to reflect typical Internet performance. The profiler also compensates for the added compression support for SWF files, which reduces the file size and improves streaming performance.
	To the extent this limitation is not explicitly disclosed by the Flash MX Professional 2004 system, it is inherent or would have been obvious to a POSA from the teachings of the Flash MX Professional 2004 system, the knowledge of a POSA, and/or one or more of the references identified in JPMC's Invalidity Contentions.

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'192 Claim 12	Reference/Combination
12[a] The system of claim 1, wherein the software authoring interface is configured to allow a user to simulate an incoming sms message.	The Flash MX Professional 2004 system discloses this limitation. For example, the Flash Lite 1.1 manual discloses an option to enable or disable SMS capabilities in the Flash Player (simulator and/or emulator). [*Flash MX Professional 2004 Flash Lite 1.1 Authoring Guidelines*, p. 26] The following variables are used to specify whether certain capabilities are available in Flash Lite, the device, the host application, or Flash Player. […] The _capSMS variable indicates whether Flash Lite can send SMS messages by using the GetURL() ActionScript command. If so, this variable is defined and has a value of 1; if not, this variable is undefined. For example, the manual discloses that Flash ActionScript supports sending messages between timelines (frame-based applications). [*Flash MX 2004 Using Flash*, p. 20] You can use ActionScript to send messages from one Timeline to another. The Timeline that contains the action is called the controlling Timeline, and the Timeline that receives the action is called the target Timeline. For example, there could be an action on the last frame of one Timeline that tells another Timeline to play. To refer to a target Timeline, you must use a target path, which indicates the location of a movie clip in the display list. In addition, the Bandwidth Simulator allows a user to simulate an incoming network download. See disclosures for claim limitation 1[b][3] (hereby incorporated by reference).

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'192 Claim 12	Reference/Combination
	To the extent this limitation is not explicitly disclosed by the Flash MX Professional 2004 system, it is inherent or would have been obvious to a POSA from the teachings of the Flash MX Professional 2004 system, the knowledge of a POSA, and/or one or more of the references identified in JPMC's Invalidity Contentions.

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'192 Claim 13	Reference/Combination
13[a] The system of claim 1, wherein the software authoring interface is configured to allow a user to simulate an incoming phone call.	The Flash MX Professional 2004 system discloses this limitation. For example, the NTT DoCoMo Flash Lite manual discloses the capability to initiate a phone call. [*Flash MX Professional 2004 Flash Lite Authoring Guidelines for the i-mode Service by NTT DoCoMo*, p. 8] i-mode browsers can directly run Flash Lite movies, or movies can be embedded in i-mode compatible HTML web pages. [¶] The i-mode compatible HTML specification is based on a subset of HTML 2.0, HTML 3.2, and HTML 4.0 specifications that DoCoMo extended with tags and attributes for special use on mobile phones. As an example, extensions include the tel URL protocol, which is used to link to a phone number and let users initiate a phone call. In addition, the Bandwidth Simulator allows a user to simulate an incoming network download. See disclosures for claim limitation 1[b][3] (hereby incorporated by reference). To the extent this limitation is not explicitly disclosed by the Flash MX Professional 2004 system, it is inherent or would have been obvious to a POSA from the teachings of the Flash MX Professional 2004 system, the knowledge of a POSA, and/or one or more of the references identified in JPMC's Invalidity Contentions.